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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,087	02/02/2004	Kenneth P. Hinckley	003797.00821	6556
28318	7590	07/26/2005	EXAMINER	
BANNER & WITCOFF LTD., ATTORNEYS FOR CABOT CORP. 28 STATE STREET - 28TH FLOOR BOSTON, MA 02109			LAO, LUN YI	
			ART UNIT	PAPER NUMBER
			2673	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/768,087

Applicant(s)

HINCKLEY ET AL.

Examiner

Lao Y Lun

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 1,2,5-24,28 and 29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3,4, 25-27 and 30-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 3-4 and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Holehan(6,043,809).

As to claims 3-4 and 40, Holehan teaches a method for providing absolute scrolling of a document comprising the steps of : sensing a pointer(e.g finger) sliding along a touch-sensitive surface(122-124, 214 or 216); determining a location of the pointer(e.g. finger) is sliding and scrolling the document to a location in the document that corresponds to the location of the pointer(finger) relative to the touch sensitive surface(122-124, 214 or 216)(see figure 2; column 4, lines 20-52 and column 5, lines 12-16).

As to claim 4, Holehan teaches the location in the document compared a beginning point and end point of the document is proportional to the location of the pointer compared to a first end and a second end of the touch-sensitive surface(see figure 2 and column 4, lines 20-52).

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As to claim 40, Holehan teaches the document would be scrolled(jumping) to the location in the document that corresponds to the location of the pointer relative to the touch-sensitive surface regardless of a previous location of the pointer relative to the touch-sensitive surface(see figures 1-2 and column 4, lines 20-40).

3. Claims 33-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Strand(6,014,140).

As to claims 33-36, Strand teach a method comprising steps of: defining a one-to-one correspondence between locations on a touch sensitive surface and location in a document(see figures 4(a)-6(b); column 1, lines 47-56; column 2, lines 47-55; column 5, lines 32-33 and lines 48-52; column 6, lines 42-52and column 8, lines 13-25); determining a first location of a pointer(e.g. stylus) relative to the touch-sensitive surface; determining a first location(e.g. page 1 or line 1 or page 10 or line 10) in a document that corresponding to a first location of a pointer; determining a first text line(e.g. line 1 or line 10) nearest the first location in the document; and moving the document to the first text line(see figures 3-6b; column 1, lines 45-56; column 2, lines 47-55; column 6 and lines 28-41).

As to claim 34, Strand teaches a method comprising a step of determining a second text line(e.g. line 20 or last line) nearest the second location in the document and moving the document to the second text line(see figures 3-6b and column 6, lines 27-40).

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As to claim 35, Strand teaches a touch-sensitive surface is single continuous touch sensitive surface(touch screen)(see figures 1,3; column 5, lines 32-33 and line 50).

As to claim 36, Strand teaches a memory for storing computing instruction(see figures 1-2 and 5).

***Claim Rejections - 35 USC 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Holehan in view of Bates(5,371,846).

Holehan fails to point out control instruction for performing scrolling operation stored in a computer.

Bates teaches a method for providing absolute scrolling of a document (see column1, lines 36-59) comprising a control instruction(see figures 5a-6b) for performing scrolling operation(see figures 1, 5a-6b; column 3, lines 60-61 and column 4, lines 3-10). It would have been obvious to have modified Holehan with

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the teaching of Bates, since Holehan's computer system needs instructions to operate.

6. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strand in view of Hopper et al(4,495,490).

Strand fails to round the location in the document to a nearest paragraph.

Hopper et al teach a method for rounding the location in the document to a nearest paragraph(see figures 17.6, 18.7; column 3, lines 59-63; column 38, lines 59-68 and column 39, lines 1-17). It would have been obvious to have modified Strand with the teaching of Hopper et al, so as to maintain contextual reference(see column 3, lines 59-61).

7. Claims 26-27 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holehan in view of Anderson et al(5,418,549).

See the discussion of Holehan above.

Holehan as modified fail to round the scroll amount.

Anderson et al teach a method for rounding the scrolling amount(see figure 2; column 5, lines 67-68 and column 6, lines 1-6). It would have been obvious to have modified Holehan with the teaching of Anderson et al, so the whole page or whole line would be displayed on a screen when the document was scrolling.

As to claim 27, Holehan teaches the location in the document compared a beginning point and end point of the document is proportional to the location of the pointer compared to a first end and a second end of the touch-sensitive surface(see figure 2 and column 4, lines 20-52).

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As to claim 30, Anderson et al teach a touch-sensitive surface is a single continuous touch-sensitive surface(touch-screen)(see figure 2 and column 5, lines 27-30).

As to claim 31, Holehan teach a proximity-sensitive surface(see figures 1-2; abstract; column 2, lines 33-39 and column 4, lines 20-40).

8. Claims 32 and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holehan in view of Anderson et al(5,418,549) and Hopper et al(4,495,490).

As to claims 32 and 38-39, Holehan as modified fail to disclose a method for store a computer instruction and the un-rounded location and un-rounded location and rounding location are defined using different units.

Hopper et al teaches a method for storing computer instruction and the un-rounded location(cursor location 278) and un-rounded location(see step 425-426) and rounding location(see step 423, 427) defined using different units(see figures 1, 17.6, 18.7; column 3, lines 59-63; column 34, lines 3-9; and column 39, lines 2-17). It would have been obvious to have modified Holehan as modified with the teaching of Hopper et al, so as to provide a system could both perform un-rounding and rounding scrolling.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 26-27, 30-36 and 38-40 have been considered but are moot in view of the new ground(s) of rejection.

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Applicants argue that Holehan does not teach a step of sensing a pointer sliding along a touch-sensitive surface on page 5. The examiner disagrees with that since Holehan teaches a step of sensing a pointer(finger) sliding along a touch-sensitive surface(122-124, 214 or 216)(see claim 3 rejection above; figures 1-2 and column 4, lines 41-52).

Applicants argue that Holehan do not teach a step of scrolling the document to a location in the document that corresponds to the location of the pointer relative to the touch-sensitive surface on page 5. The examiner disagrees with that since Holehan teach such feature(see claim 3 rejection above; figures 1-2 and column 4, lines 40-52).

Applicants argue that the Anderson does not teach a method for rounding to the nearest text line on page 6. However, Anderson teach a method for rounding to the nearest page(see figure 2; column 5, lines 67-68 and column 6, lines 1-6). It would have been obvious to rounding to nearest line since it is well known that a scrolling system could scrolling a document per page or per line(see Strand's column 2, lines 9-19 and lines 51-55).

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



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A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sakaguchi(6,377,254) teach a method for feely instruct and display an arbitrary page through the input device.

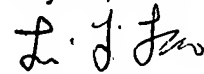
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi Lao whose telephone number is 571-272-7671. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 22, 2005

A handwritten signature in black ink, appearing to read 'L. J. Lao', is written over the printed name.

Lun-yi Lao  
**Primary Examiner**